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ABSTRACT

The results of a performance review of educational programs for youth in residential commitment facilities are presented including background, methodology, and findings. Most juvenile justice students enter residential programs performing below their grade level in reading and math but improve by at least one grade level during their stay. Although some students make dramatic gains of 3 years or more, most youth remain below their age-appropriate grade level on release. Because many juvenile justice youth will not return to school on release, education programs need to increase access to vocational education and GEDs. Although 83% of teachers are certified, more exceptional education teachers are needed. Most programs offer a range of basic subjects and meet corrections standards for student/teacher ratios; however, the number of days that instruction is unavailable is a problem. The success of residential education programs is not determined by whether school districts provide education services directly or hire contractors; both models can succeed. School districts are responsible for educational services in residential commitment facilities, but districts are not held accountable for their performance. Important points are illustrated with graphs or charts. Conclusions, recommendations, and responses from the departments of Education and Juvenile Justice are included. (Author/EMK)

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THE FLORIDA LEGISLATURE

Report No. 98-28

Office of
Program Policy Analysis
And Government Accountability

John W. Turcotte, Director

December 1998

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Review of Education Services in Juvenile Justice Residential Facilities

Abstract

- **Most juvenile justice students enter residential programs performing below their grade level in reading and math but improve by at least one grade level during their stay. While some students make dramatic gains of three years or more, most youth remain below their age-appropriate grade level upon release.**
- **Because many juvenile justice youth will not return to school upon release, education programs need to increase access to vocational education and General Education Diplomas (GEDs).**
- **In residential juvenile justice education programs, 83% of teachers are certified; however, more Exceptional Student Education (ESE) teachers are needed.**
- **Most education programs offer a range of basic subjects and meet corrections standards for student/teacher ratios. However, at over 25% of facilities, the number of days that instruction is not available due to summer vacation and other breaks is a problem.**
- **The success of residential education programs is not determined by whether school districts provide education services directly or hire contractors. Both models can succeed with the support and active participation of the school district and the juvenile justice facility.**
- **School districts are responsible for educational services in residential commitment facilities, but are not held accountable for their performance.**

Purpose

In 1998, the Florida Legislature identified the need to focus more attention on the educational outcomes of youth in the juvenile justice system and directed OPPAGA to conduct a performance review of education programs for youth in residential commitment facilities.[1]

To complete this review, we interviewed state and national experts, reviewed education and juvenile justice literature, and mailed a survey to all juvenile justice residential education programs to obtain information on education services.[2] One hundred and ten or approximately 75% of the education programs responded and provided data on approximately 4,300, or 82% of the youth released from residential facilities during the 1997-98 school year. These responses provided pre- and post- reading or math scores for 67% of the youth. We also visited 20 facilities throughout the state to observe and interview education and program staff and students. (See Appendix C for Methodology.)

Background

The purpose of juvenile justice residential commitment is to protect the public from acts of delinquency and to aid in the rehabilitation of juvenile offenders.

[1] Funding of these programs will be addressed in a review by the Juvenile Justice Accountability Board.

[2] Some small group treatment homes were not included because the youth assigned to them attend regular public schools. We also excluded detention centers from our performance review because their education programs are unique due to the rapid turnover of youth in these facilities.

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The Department of Juvenile Justice administers approximately 150 residential commitment facilities in Florida. Youths' length of stay at these facilities is intended to range from 1 month to about 18 months. In our survey, the median length of stay was approximately 6 months. In Fiscal Year 1998-99, the Legislature appropriated $231,576,000 to residential commitment.

School districts are responsible for providing education services to youth in juvenile justice residential facilities. Education is considered an important component of juvenile rehabilitation. As required by statute, juvenile justice education programs should provide services comparable to those which students in regular school receive as well as provide increased access to vocational education and GED preparation. Juvenile justice education programs are both a "last chance" and a "best chance" to provide services to youth with previously unidentified special needs and an education to truant youth who have not attended school.

School districts have the option of delivering educational services directly or hiring a contractor. In our survey, school districts provided education directly in 63% of the education programs and contracted in 37%. School districts that contract may hire another school district or a private provider. The school district remains responsible for the quality of education provided in residential juvenile justice facilities, regardless of whether the school district provides services directly or hires a contractor.

Findings

This report presents findings on three aspects of juvenile justice education:

- student performance,
- classroom conditions, and
- accountability,

and it offers recommendations for improving educational services in residential facilities.

Student Performance

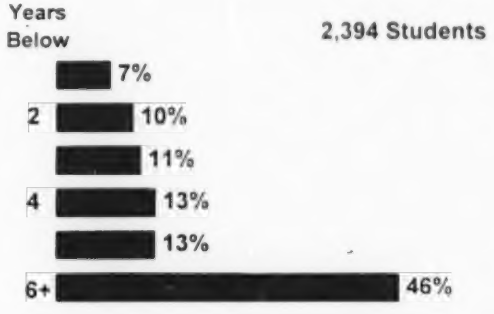
Most juvenile justice students enter residential facilities performing below their grade level in reading and math. In addition, over a third are identified as exceptional education students, and two-thirds have a history of truancy.

The overwhelming majority of students in juvenile justice residential facilities enter without the basic skills to read and do math at their age-appropriate grade level. In our sample,

- in reading, nearly 80% of the students upon admission scored one or more years below the grade level appropriate for their age, and
- in math, 90% of the students scored one or more years below the grade level appropriate for their age.

As shown in Exhibit 1, many youth entered their programs reading significantly below grade level.

Exhibit 1
80% of Sample Students
Entered Reading Below Grade Level



Source: OPPAGA analysis of sample data

In addition, approximately 35% of the students in our sample had educational exceptionalities, such as a learning disability or emotional disturbance. Federal and state laws require that educators prepare individual education plans for students with educational exceptionalities to assist their learning. Teachers certified in exceptional student education can also facilitate educational development for these youth.

Many youth also have histories of chronic truancy. According to the Department of Juvenile Justice, over 66% of youth admitted to commitment programs had not been attending school regularly at the time of their

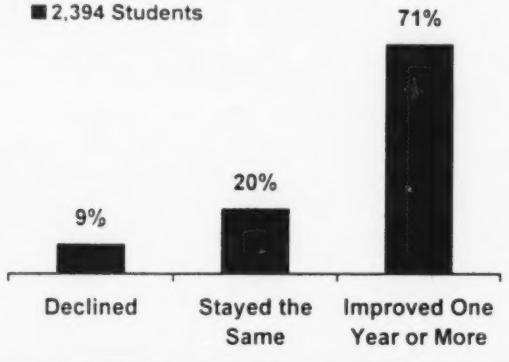
admission. Thus, most youth entering residential programs have serious educational problems.

The majority of youth improved by at least one grade level during their stay in a residential program. Despite these gains, most youth remained below their age-appropriate grade level when released.

Juvenile Justice educational programs appear to be reasonably successful as most youth in our sample made gains in both reading and math during their stay in residential facilities. Juvenile justice education programs test students to assess their reading and math skill levels. For students released from residential facilities during the 1997-98 school year, we requested and analyzed scores for reading and math tests given when youth entered and exited their programs.

The trends for reading and math are similar. Most youth tested below their age-appropriate grade level for reading and math upon entry to the program. Of these students, 71% who entered below improved by one grade level or more in reading. (See Exhibit 2.) In math, 69% improved by at least one grade level. Many youth made dramatic gains: 30% improved by three years or more in reading and 26% improved by three years or more in math. (For details about reading and math scores, see Appendix B.)

Exhibit 2
Gains by Students Who Entered Reading Below Grade Level



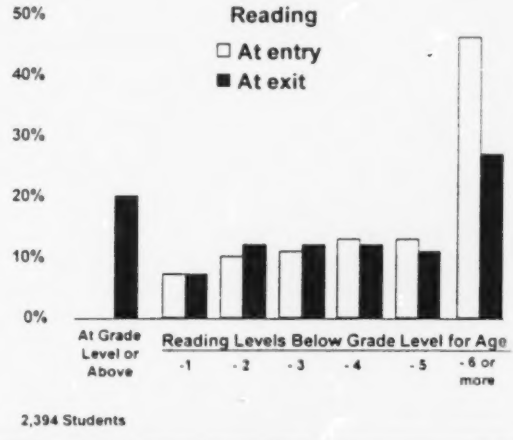
Source: OPPAGA analysis of sample data

Approximately 10% of students who entered at their age-appropriate grade level in reading generally stayed the same or improved by one grade level. Approximately 10% of students who performed above grade level at entry generally stayed the same, although about a quarter of them declined.

For most youth in our sample, educational gains did not appear to be directly related to length of stay. With the exception of youth who were in programs for one month or less and did not demonstrate improvement, students generally made progress in reducing their math or reading deficits.

Despite these gains, because so many youth started out so far behind, most students remained below the grade level appropriate for their age upon release from the program. (See Exhibit 3.)

Exhibit 3
Students Who Entered Reading Below Grade Level Made Substantial Improvement, But Were Still Generally Behind When Released



Source: OPPAGA analysis of sample data

Funding and age requirements limit opportunities for youth to earn GEDs while in residential programs.

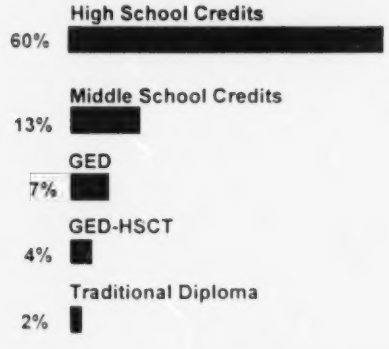
Reading and math gains suggest that education programs in residential facilities are addressing students' needs for remediation. However, these programs are not meeting their statutory directive to help youth complete their high school education by providing alternative ways to complete high school.

According to national literature, the majority of juvenile justice youth do not return to school when released, especially if they are 17 years of age or older. Instead, 93% of these youth try to enter the workforce. In our sample, over half the students were 16 years old or older when they entered residential programs. Because these older youth will probably not earn a traditional diploma, the opportunity to earn a GED

(General Equivalency Diploma) or GED/HSCT (High School Competency Test) diploma in their residential education program is essential.[3] Failure to earn a high school diploma can greatly limit these youths' future job opportunities and may contribute to recidivism.

However, few residential education programs offer the GED or GED/HSCT options, and few students in these programs earn diplomas. Only 13% of the students in our sample earned high school diplomas during their commitment. Instead, most residential education programs focus on helping youth earn high school credits. (See Exhibit 4.) While this focus is intended to help prepare youth to earn diplomas, the fact that few of the older youth return to school means that this strategy is likely to be unsuccessful for them.

Exhibit 4
Few Students in Residential Education Programs Earn Diplomas



Percentage of 3,508 Students

Source: OPPAGA analysis of sample data

Educators in residential education programs identified numerous obstacles to offering GEDs. For example, they are confused about whether youth must drop out of high school before taking the GED and described the difficulty of transporting youth to distant testing centers. The two most significant obstacles they identified were funding and age requirements.

The Florida Education Finance Program (FEFP) funds are the main revenue source for juvenile justice education programs. Youth in juvenile justice programs can only generate FEFP funds if they are enrolled in K-12 education. GED preparation is considered adult education rather than K-12 education; therefore, programs cannot receive FEFP funding for GED preparation programs. This funding situation is one reason so few residential education programs offer GED preparation.

According to the Department of Education, GED preparation must be funded through workforce development funds, also administered by the Department of Education. However, most juvenile justice education programs have not applied for workforce development funds. This appears to be the result of confusion over how to apply for these funds and what they can be used for. Workforce development funding may also be less attractive because it is generally funded at a lower level than FEFP. A related funding issue is that some school districts do not waive the normal GED testing fee for youth in residential facilities, although many of these youth may lack the funds needed to pay the fee.

Age policies also limit the number of youth who are eligible to earn GEDs or GED/HSCT diplomas. The law requires that youth who take the GED be at least 18 years old. School districts have the statutory authority to allow youth with extenuating circumstances, including those in residential juvenile justice facilities, to take the GED at age 16. However, some school districts grant these age waivers and some do not. For the GED/HSCT, no age waivers are permitted, so youth cannot graduate earlier than their peers with whom they entered kindergarten. Requiring youth to graduate at the same time as their peers restricts juvenile justice youth from participating in these options because many youth do not qualify before exiting the program.

Classroom Conditions

Juvenile justice literature based on clinical experience and research identifies effective practices that contribute to the quality of juvenile justice education programs. (See Appendix A for information on the status of these effective practices.) In our survey and site visits, we assessed classroom conditions related to these practices, including

- teacher qualifications,
- access to student records,
- subjects taught,
- class size, and
- days of instruction.

[3] GED is earned by passing the GED exam and results in a State of Florida high school diploma. The GED/HSCT option is earned by passing the GED exam and the High School Competency Test and results in the more traditional school-specific high school diploma.

Our findings pertaining to these issues are discussed below.

Eighty-three percent (83%) of teachers in residential programs are certified, but more teachers certified in Exceptional Student Education (ESE) are needed.

According to our analysis, 83% of the teachers in the residential education programs we surveyed held teaching certificates. Of these certified teachers, the highest percentage is certified to teach at the secondary school level.

Exhibit 5
Most Teachers in Residential Education Programs Are Certified in Secondary Education

Type of Certification	Percentage of 354 Teachers
General Certifications	
Elementary Education	12%
Middle School Education (Grades 5-9)	14%
Secondary Education (Grades 6-12)	53%
Special Certifications	
Special Education	25%
Vocational Education (Grades 6-12)	11%

Source: OPPAGA analysis of sample data

While secondary education certification may seem appropriate because most juvenile justice students are high school age, the majority of these students are deficient in basic reading and math skills and many have learning or behavioral problems. Experts and practitioners report that certification in exceptional student education (ESE) provides training that is particularly well suited to the needs of these juvenile justice students.

ESE teachers are adept at adjusting curriculum to a wide range of skills and abilities in a single classroom. ESE teachers often perform important tasks in addition to teaching. They facilitate learning for the general juvenile justice population by conducting assessments and identifying learning disabilities. For exceptional students, ESE teachers also complete the assessments and individual education plans required by state and federal law. Failure to comply with these ESE requirements may create a potential for legal liability.

However many programs lack sufficient ESE support.

- Only 25% of the certified teachers in our survey are certified in special education, and
- 33% of residential education programs have no teachers certified to teach special education.

Some school districts provide more ESE support to residential programs than others. For example, a single teacher's aide delivers ESE services at a 98-bed facility in Okeechobee County, while every juvenile justice facility in Duval County, even those with 28 beds, are served by a full-time ESE teacher and a full-time teacher paid for by federal Title I funds. While school districts should consider hiring additional ESE teachers for residential education programs, this strategy may not always succeed because there is a statewide shortage of ESE-certified teachers.

School districts could also enhance ESE services by making greater use of Department of Education resources for special populations. For example, most education programs are not using the free services of Florida Diagnostic and Learning Resources System (FDLRS) and the Multi-agency Network for Students with Severe Emotional Disturbance (SEDNET), which provide in-service training and diagnostic and instructional support for students with learning and emotional disabilities.

Educational planning is hindered by difficulty in obtaining records from out-of-county schools.

Juvenile justice educational programs often have difficulty obtaining educational records for the youth they serve. Records from prior schools describe a youth's skill level, performance, and course work. Access to these records is essential for developing appropriate educational goals. The education services youth receive while incarcerated should assist their educational progress and advance them toward their post-release goals of continued education or employment.

Immediate education planning is necessary to take advantage of youths' time in residential facilities, so timely receipt of records is critical. For those students determined to be educationally disabled, the responsible school district should be notified and provided a copy of the student's Individual Education Plan (IEP) in a timely manner. Most education programs receive records from schools in the same county promptly. However, obtaining records from schools in other counties is a serious problem; these

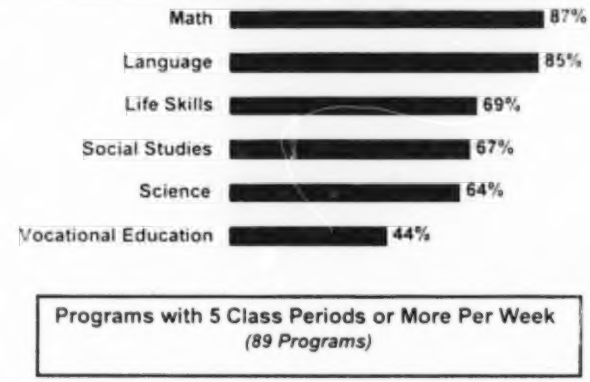
records are frequently delayed and sometimes never arrive. Every residential program is assigned out-of-county youth.

Education staff told us that delays associated with out-of-county records could be attributed to several factors. For example, juvenile justice education program staff sometimes do not know whom to call to get the records from out-of-county schools. School staff sometimes are unsure whether they are authorized to release the records and IEPs to juvenile justice facilities. Finally, there are no consequences for schools or school districts that do not cooperate. These problems need to be addressed to improve the timeliness and appropriateness of educational planning for youth in residential education programs.

While most education programs teach a range of basic subjects, more vocational education is needed.

The typical curriculum in the education programs responding to our survey includes a range of basic academic subjects. (See Exhibit 6.) However, education programs should provide greater access to vocational education.

Exhibit 6
Fewer Hours Are Provided in Vocational Education



Source: OPPAGA analysis of sample data

Because the majority of older juvenile justice youth do not return to school, vocational education and employment skills training is important. Section 985.404(5), F.S., directs that the Department of Juvenile Justice work with the Department of Education and other state agencies to increase access to vocational education and employment training for juvenile justice youth.

However, in our survey,

- only 44% of the programs taught vocational education five or more periods per week, and
- 24 programs did not offer any vocational education.

In our site visits, we learned that vocational education appears to be constrained by educators' confusion as to what constitutes vocational education, how to access resources for teaching vocational education, and how to obtain school credits for vocational education.

Some residential education programs provide vocational education that teaches a trade, such as how to work in a print shop. Some programs provide exposure to a number of skills, such as plumbing and carpentry. Some programs offer employability skills, such as how to fill out employment applications and interview for a job. Variations in vocational programs are probably appropriate, given the varying ages and lengths of stay of students and differences in program size. However, the Department of Education has not developed standards to provide guidance as to what is appropriate.

In addition, education staff in residential facilities are unaware of Department of Education services and resources to enhance vocational education. For example, programs are not using the Department of Education's System for Applied Individualized Learning (SAIL), which offers curriculum designed to integrate vocational and academic skills. Similarly, many education programs are not aware that students can earn vocational education credits while exploring career options and developing job readiness skills.

The Department of Education needs to provide clarification and assistance by delineating appropriate vocational education programs, increasing educator awareness of DOE resources, and providing specific information on how to obtain appropriate credits for vocational activities.

Student/teacher ratios met correctional standards and student/computer ratios were adequate in most education programs.

Most education programs maintain an adequate student/teacher ratio. The educational needs and skill deficits of the juvenile justice student population require that class size be kept to a minimum. The American Correctional Association recommends educational programs for youth in juvenile justice facilities have a teacher-to-student ratio of 1:15.

- In our survey, 85% of programs reported meeting or exceeding this teacher/student ratio of 1:15.

Exhibit 7
Most Education Programs Meet Corrections Standards for Student/Teacher Ratios

Students Per Teacher	Percentage of Education Programs (n=96)
1-5	3%
6-10	31%
11-15	51%
Over 15	15%

Source: OPPAGA analysis of sample date

Student/computer ratios were also adequate in most programs. Computer-assisted instruction provides students the opportunity to develop basic computer literacy and work at their own pace to address skill deficits, earn course credits, and explore vocational opportunities. In the juvenile justice setting where there is a special need for individualized, self-paced instruction, access to computers is critical. In our survey, 58% of facilities reported a ratio of at least one computer for every three students.

At over a quarter of facilities, the number of days that instruction is not available due to summer vacation and other breaks is a concern.

Ideally, schools in residential commitment facilities should provide uninterrupted educational services so that students who enter programs in the summer or between semesters can attend school throughout their stay. However,

- 37% of the programs in our survey reported that their students were in summer school for 30 days or less, and it is unclear what educational services, if any, students received for the remainder of the summer, and
- 31% of the programs reported that they were unable to provide educational services for extended periods due to the school district calendar for teacher planning days, inservice days, winter break, spring break, and breaks between summer school and fall semester.

These gaps are a particular concern for short-term programs. For example, youth entering a four-month program at the beginning of the summer may only receive educational services during two months of their entire stay.

Section 230.23161(4), F.S., requires school districts to provide education in juvenile justice facilities for the same duration it provides school in other schools in the district. However, the regular school calendar does not meet the needs of youth in residential facilities.

Accountability

The success of residential education programs is not determined by whether school districts provide education directly or hire contractors. Either model can succeed if it has the support and active participation of the school district and the juvenile justice facility.

School districts have the option of directly delivering educational services to youth in residential commitment facilities or contracting with a provider or another school district to deliver the services. Regardless of the delivery arrangement, the school district is responsibile for the education sevices.

- In 63% of the facilities responding to our survey, the school district provides education services directly. Fifty-six percent of the youth in our sample were assigned to these programs.
- At 37% of facilities the school district contracts out the delivery of educational services. Forty-four percent of the youth in our sample were assigned to these programs.

In our visits to facilities, we found that the delivery model is not the most critical element of success. For example, in last year's quality assurance reviews, as many directly-provided education programs as

contracted education programs failed to meet education standards.

In both models, school districts vary in the degree of supervision they exercise over the educational services in residential facilities. Some districts maintain a very active relationship, while others have little or no interaction with the teachers regardless of the program's quality or performance.

We observed that good communication is key. In our site visits, the superior education programs had the support and active participation of both their school district and their facility. The education programs that were less successful had a poor working relationship with their school district or their juvenile justice facility or both.

School districts are not held accountable for the educational services provided in residential commitment facilities.

School districts are not held accountable for the quality of educational services that they provide or supervise in residential commitment programs. These educational programs are not subject to the Department of Education's critically low performing school list, and very few participate in the Blueprint 2000 school improvement process. Quality assurance reviews are the only process used statewide to identify education programs in residential facilities that do not meet education standards, but these reviews have limited success in improving bad programs.

Each year, Department of Juvenile Justice staff conduct a comprehensive quality assurance review of every Department of Juvenile Justice program to ensure that minimum standards are met. As part of this review, the Department of Education (DOE) assesses the quality of the education services provided in residential commitment facilities.[4] DOE uses four standards: transition, service delivery, personnel competencies, and administration, each with performance indicators. For example, an indicator for the transition standard is "Entry transition activities include timely request of transcripts and initial needs assessments."

Quality assurance reviews have documented severe and ongoing problems with a portion of these education programs.

- In 1997, 23 of 104, or 22%, of education programs in residential facilities received below satisfactory scores on at least one of four education standards.
- In 1998, 20 of these 23 programs were still in operation. Of those, eight or 40% continued to have below satisfactory scores on at least one standard.

Below satisfactory scores indicated that the programs could not meet requirements such as obtaining student records, developing individual education plans, providing ESE support services, or providing in-service training opportunities for staff.

The current quality assurance process is not effective in improving low-scoring programs because there is no penalty for school districts when juvenile justice education programs they operate or supervise receive below satisfactory ratings. This contrasts with the accountability system used for juvenile justice facilities, which can be sanctioned if they receive an overall unsatisfactory rating. Facilities that fail to meet minimum thresholds are re-reviewed within six months and are subject to contract cancellation if the reexamination does not find threshold compliance, unless there are documented extenuating circumstances.

Low education program ratings do not trigger the quality assurance improvement process for juvenile justice facilities because the education points are a low percentage of each facility's total points. For example, a facility could receive "0" on education standards but still receive an overall rating of "satisfactory performance." As a result, problematic education programs are not subject to re-review or contract cancellation.

Resolving low education scores in quality assurance reviews is also difficult because of split responsibilities. Education scores are the responsibility of the school district, while the remainder of each quality assurance score is the responsibility of the facility. Because of this division of responsibility, it is appropriate that bad education scores alone cannot be used to terminate a program provider for the other services rendered at a facility. However, more accountability is needed so that school districts are held responsible for education services just as program providers are responsible for other aspects of each juvenile justice program.

Unless quality assurance reviews are used to increase school district accountability to improve below

[4] DOE currently contracts with the Juvenile Justice Educational Enhancement Project at Florida State University to conduct these education reviews.

satisfactory education services, youth in residential programs may not receive the education they are entitled to under law or have the opportunity to benefit from education's rehabilitative effects.

Conclusions and Recommendations

School districts are responsible for providing education services to youth in juvenile justice residential facilities. Education is considered an important component of juvenile rehabilitation.

Successful residential education programs promptly obtain student records and provide access to remedial and Exceptional Student Education (ESE) resources, adequate days of instruction, viable vocational education, and opportunities for youth to earn GEDs.

School districts vary in the degree of supervision they exercise over residential education programs. Greater accountability is needed so that school districts are held responsible for the quality of these education services.

ESE and Remedial Services

Our recommendations to enhance learning opportunities for special needs youth are discussed below.

- The Department of Education and the Department of Juvenile Justice should revise quality assurance standards to include indicators pertaining to provision of ESE services, such as obtaining student records, conducting assessments, and updating Individual Education Plans (IEPs). Given the potential legal liability, completion of IEPs should become a priority indicator. Indicators should also address staff personnel competencies for providing ESE services.
- The Department of Education and school districts should coordinate education program access to the free services of Florida Diagnostic and Learning Resources System (FDLRS) and the Multi-agency Network for Students with Severe Emotional Disturbance (SEDNET), which provide in-service training and diagnostic and instructional support for students with learning and emotional disabilities.
- When possible, education programs should hire teachers who are certified in special education.
- To provide teachers to assist with the remedial and special needs of youth in juvenile justice education programs, school districts should ensure that these youth are included in their population estimates for federal Title I funding.

Student Records

To enhance access to student records, we recommend that

- the Department of Education provide every residential education program with a form letter citing statutory authorization for schools to release student records and IEPs to the programs and
- each school district designate a staff person to provide records to in-county and out-of-county residential education programs. The Department of Education should post a list of these contacts on the Internet for easy access and updating.

Days of Instruction

In our survey, 31% of the facilities reported that they were unable to provide instruction for extended periods of time due to the school district calendar. To extend days of instruction, we recommend that

- the Legislature revise s. 230.23161(4), F.S., to specify a minimum number of days that school districts provide summer school at residential programs.

Vocational Education and GEDs

Because the majority of older youth do not return to high school, the opportunity to participate in vocational education and earn a GED or GED/HSCT diploma is essential. However, these options are not available in many programs.

We recommend three actions to provide more opportunities for vocational education.

- The Department of Education should work with the Department of Juvenile Justice to revise quality assurance standards related to vocational education. Expectations for short-term programs and those for younger students should focus on vocational education, such as employability skills and career choice. Standards for longer programs for older students should be geared to vocational training in specific occupations or trades.

- The Department of Education and school districts should coordinate education program access to the services provided by Department of Education's System for Applied Individualized Learning (SAIL), which offers curriculum designed to integrate vocational and academic skills.
- The Department of Education should provide education programs the information they need to link appropriate program activities to vocational course credits.

To comply with the Legislature's directive to increase access to and participation in GED, we recommend that

- the Legislature revise s. 230.23161(10), F.S., to require that the mandated cooperative agreements between school districts and the Department of Juvenile Justice specify strategies to increase juvenile justice students' access to GED, including access to workforce development funds;
- for youth in juvenile justice residential facilities, school districts use the statutory provision that allows them to offer the GED to students at 16 years of age and older and who have extraordinary circumstances;
- school districts waive the GED testing fee for youth in juvenile justice residential facilities; and
- school districts designate juvenile justice residential facilities as GED testing centers. This will eliminate the need to transport students to distant testing sites and make them wear shackles during the exam.

Accountability

School districts are not held accountable for the quality of services they provide at residential facilities. Historically, quality assurance reviews have documented severe and ongoing problems with the education services provided in some residential facilities. We recommend two actions to increase school district accountability.

- The Legislature should amend s. 985.412, F.S., to revise the quality assurance process to increase school districts' accountability for addressing identified deficiencies. Unsatisfactory program education scores should independently trigger a mechanism similar to the process for juvenile justice programs that do not meet established minimum thresholds of quality.
- If school districts have contracted for education services that do not meet quality assurance education standards upon re-review, they should terminate these contracts.
- When school districts that directly provide education services do not meet quality assurance standards upon re-review, the Department of Education should initiate a bid process to allow another school district to assume responsibility for the education program. At some facilities, other school districts are already responsible and this arrangement seems to work well and result in satisfactory, and sometimes superior, education services. When program responsibility is transferred to another school district, FEFP funding generated by the juvenile justice students should also be transferred.

Improving accountability for education programs in residential juvenile justice facilities, increasing the use of effective practices, and optimizing the use of existing resources should enhance youths' educational performance and provide them maximum opportunity to benefit from education's rehabilitative effects.

Response from the Department of Education

The director of the Division of Public Schools and Community Education, in his written response, agreed with the context in which most of our recommendations were made, but did not support the recommendation regarding Accountability on page 10 which states, ". . . the Department of Education should initiate a bid process to allow another school district to assume responsibility for the educational program" when a program is unresponsive to the quality assurance standards process.

Further, the director believes ". . . that moving the program to another district when the 'home' district appears to be 'nonresponsive' does not effectively promote enforcement of accountability and that current school accountability legislation as stated in s. 229.0535., and State Board of Education Rules is more likely to bring about the required result."

Copies of the director's response in its entirety are available upon request.

Response from the Department of Juvenile Justice

The Secretary of Department of Juvenile Justice, in his written response, concurred with OPPAGA's findings, and offered the following observations.

1. Your report notes that school districts are not held accountable for meeting educational goals. The legislature may wish to consider amendments to s. 985.412, F.S., to authorize the termination of educational contracts that fail to meet quality assurance standards on two consecutive reviews. In the event the educational services are provided by the school district, the legislature may wish to consider outsourcing services, reconfiguring or realigning service delivery or requiring appropriate disciplinary actions. This is consistent with the handling of services at the Department of Juvenile Justice, whether contracted or state operated.

   Quality assurance standards are reviewed and updated each year to ensure compliance with department policy. This review is currently underway with four regional meetings held recently to gain input into the development of standards.

2. A meeting is scheduled for January 7, 1999, between the Department of Juvenile Justice and the Department of Education to develop procedures to access the FDLRS and SEDNET services.

Education is perhaps the most significant contributor to the rehabilitation of juvenile justice youth, and we believe that the provision of year-round schools for juvenile justice youth will maximize the legislature's investment of commitment dollars.

Copies of the Department of Juvenile Justice's response in its entirety are available upon request.

Appendix A

Status of Effective Juvenile Justice Education Practices

Access to Student Records

Issue: Records from prior schools describe a youth's skill level, performance, and course work. Access to these records is essential for developing appropriate educational goals. Planning should begin as soon as possible, so timely receipt of records is critical. Federal legislation requires Individual Education Plans (IEP) for exceptional students be received within 24 hours of arrival at program.

Status: Educators report that record arrival varies from before the student arrives to never. In-county records are easier to get promptly, especially if the education program is on-line with the county data system. Programs have difficulty getting out-of-county student records in a timely manner.

What helps:

- Form letter with reference to statute authorizing the release of educational records and IEPs
- On-line access to in-county student records; use of FASTER to electronically request out-of-county records
- Education program having a good relationship with county school guidance counselors and data clerks
- Job of getting records assigned to specific support staff or on-site case manager

What hinders:

- Schools and school districts are unsure if they are authorized to release records, especially IEPs, to juvenile justice education programs.
- Out-of-county records cannot be transmitted electronically.
- Not knowing who handles record requests in other school districts is a hindrance.
- There is no consequence when schools are uncooperative about sending records.

Student Assessment

Issue: Assessment of skills, strengths, and weaknesses is the key to developing appropriate individual education and treatment plans to meet student needs and address deficiencies. The services youth receive while incarcerated should assist their educational progress and advance them toward their post-release goals of continued education or employment. Pre- and post-tests should be used to measure student gains and evaluate program effects.

Status: Most programs pre-test and post-test students. Over 60 different tests are used, ranging from short screening instruments to comprehensive diagnostic tests. Many educators are dissatisfied with the assessment options. However, there is no consensus as to which tests are most appropriate for the juvenile justice population.

What helps:

- Assignment of testing to testing coordinator, on-site school psychologist, or teacher's aide
- Teachers with ESE certification having training and expertise to select and administer the most appropriate tests for students in their program.

What hinders:

- Test administration, scoring, and interpretation can take several hours of teacher's time per student.
- Information and technical assistance on student assessment is not always readily available from DOE.
- Different tests are required for DOE quality assurance standards and DJJ performance budgeting reports.

Multi-Level Curriculum Materials

Issue: The typical juvenile justice classroom resembles a one-room schoolhouse. Students ranging in age, grade, and ability are placed in the same class taught by a single teacher. Under these conditions teachers must have access to a variety of multi-level curriculum materials.

Status: While a wide range of curriculum materials are in use, there is a widespread lack of appropriate low-level materials.

What helps:

- Software providing remedial instruction
- PASS (Parallel Alternative Strategies for Students) materials
- Multi-level computer software geared to Sunshine State Standards

What hinders:

- Overuse or inappropriate use of computer assisted instruction; non-readers cannot use; poor readers may act out due to frustration
- Time required for teachers to identify and create appropriate curriculum
- Limited awareness of curriculum assistance available through Department of Education

(Appendix A - continued on next page)

Vocational Education

Issue: Vocational education is an essential element of educational programs at juvenile justice facilities. It is especially important for older juveniles who will not return to school, but try to enter the workforce. Vocational education can also provide meaningful opportunities for incarcerated youth who have already have completed high school or earned a GED.

Status: There is lack of understanding about what voc education is and how it should be delivered. Some educators advocate teaching a trade. Others promote employability training, especially for short-term residential programs. Many schools are not aware that students can earn vocational education credits while exploring career options and developing job readiness skills.

What helps:

- Understanding vocational education options
- Using the Choices curriculum
- Vocational wheels giving exposure to different skill areas
- Creative use of existing resources, e.g., Novell computer certification
- Teaching employability skills in treatment groups

What hinders:

- Poor communication from DOE quality assurance what vocational education should be provided.
- Work experience cuts into academic time
- Lack of equipment and resources necessary for a hands-on program offering vocational choices

Services for Students With Special Needs

Issue: In our survey of the juvenile residential population, 60% were below grade level and 33% were ESE. Federal law requires education programs to provide services to ESE youth to address their special needs. Youth in residential programs automatically qualify for services provided by Title I federal funding.

Status: While school districts obtain special education funding, there is variation in the amount to provide services to residential education programs. For example, a teacher's aide delivers ESE services at a 96-bed facility in Okeechobee County, while a 28-bed facility in Duval County has a full-time ESE teacher and a full-time Title I teacher.

What helps:

- Hiring teachers certified in special education
- Teachers participating in SED NET training for working with ESE youth
- Staffing programs with a full-time Title I teacher

What hinders:

- District provides limited ESE services.
- ESE is a statewide critical certification shortage area.
- Programs do not know how to access assistance or training to help regular teachers with ESE youth.

Alternatives for High School Completion

Issue: The majority of juvenile justice students are older and will not return to school when released. These students should have the opportunity to obtain regular high school diplomas, GEDs, or GED/HSCT diplomas.

Status: The majority of students in residential facilities earn high school credits but do not earn diplomas or GEDs. GED preparation should be funded through workforce development funds but juvenile justice educators are unsure how to access these funds.

What helps:

- School district designating facility as GED test center
- Facilities paying or allowing youth to earn GED test fees
- Age waivers

What hinders:

- Cost of GED test
- Access to GED test sites
- Confusion about how to use HSCT/GED

Source: OPPAGA analysis of sample data

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Appendix B
Math and Reading Gains

Reading Level Upon Departing Facility	*Reading Level When Youth Entered Facility*			
	Below Grade Level (n=2,394)	**At Grade Level (n=297)**	**Above Grade Level (n=320)**	**All Students Combined (n=3,011)**
Declined	9%	13%	24%	11%
Stayed Same	20%	60%	53%	27%
Improved 1 Grade Level or More	71%	27%	23%	62%
1 Year Gain	24%	17%	9%	22%
2 Year Gain	17%	4%	8%	15%
3 Year Gain	30%	6%	7%	25%

Source: OPPAGA analysis of sample data

Math Level Upon Departing Facility	*Math Level When Youth Entered Facility*			
	Below Grade Level (n=2,677)	**At Grade Level (n=164)**	**Above Grade Level (n=127)**	**All Students Combined (n=2,968)**
Declined	10%	15%	28%	11%
Stayed Same	22%	52%	49%	24%
Improved 1 Grade Level or More	69%	32%	24%	65%
1 Year Gain	25%	20%	8%	24%
2 Year Gain	18%	5%	9%	17%
3 Year Gain	26%	7%	6%	24%

Source: OPPAGA analysis of sample data

Appendix C
Methodology

This performance review was conducted in accordance with applicable evaluation standards. OPPAGA conducted fieldwork for this study from July 1998 to October 1998. Staff interviewed state and national experts, reviewed education and juvenile justice literature, conducted a statewide survey of all juvenile justice residential education programs, and visited 20 facilities throughout the state to observe and interview education and program staff and students.

Statewide Survey: The Department of Juvenile Justice provided us with a list of Florida's residential programs. We did not survey detention facilities because their education programs are unique due to youths' short length of stay. We also excluded programs in which educational services are provided outside the facility at a local public school. Of the 150 education programs we surveyed, 110 responded and provided information on the juvenile justice facility and the education services provided. The programs also provided data on approximately 4,300 or 82% of the youth released from residential facilities during the 1997-98 school year. Pre- and post-test scores were available for approximately 3,500 youth, or 67% of youth released during the 1997-98 school year.

Program Visits: We visited 20 residential facilities around the state to learn more about their education programs. To select programs to visit, we first identified those with the highest and lowest quality assurance scores in 1997. We wanted to visit high and low scoring programs so that we could observe the contrasts and learn from program managers what helped and hindered their education programs. From these programs we developed a selected sample that included state-run and private facilities, education programs run directly by the school district and contracted by the school district, a range of risk levels from level 4 through level 10, programs for girls and for boys, programs for middle-school and high-school aged youth, and a variety of types of programs such as halfway houses and boot camps. We visited the sites listed below.

County	Program
Broward	Elaine Gordon Treatment Center
	Pembroke Pines
Collier	Collier County Drill Academy
Dade	Cove Halfway House
	Miami Halfway House
Duval	Duval Halfway House
	Impact Halfway House
Escambia	Eckerd Camp E-Ma-Chamee
	Pensacola Boys Base
Holmes	West Florida Wilderness Institute

County	Program
Jackson	Dozier School for Boys
Leon	Seminole Work and Learn
Nassau	Nassau STEP
Okeechobee	Eckerd Youth Development Center
	Eckerd Intensive Halfway House
	Okeechobee JOCC
Palm Beach	Pahoke Youth Development Center
Polk	Bradley Manor
	Polk Youth Development Center
Seminole	GUYS Dual Diagnosis

The Florida Legislature

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- OPPAGA Publications and Contracted Reviews, such as policy analyses and performance reviews, assess the efficiency and effectiveness of state policies and programs and recommend improvements for Florida government.

- Performance-Based Program Budgeting (PB^2) Reports and Information offer a variety of tools. Program Evaluation and Justification Reviews assess state programs operating under performance-based program budgeting. Also offered is performance measures information and our assessments of measures.

- Florida Government Accountability Report (FGAR) is an Internet encyclopedia of Florida state government. FGAR offers concise information about state programs, policy issues, and performance. Check out the ratings of the accountability systems of 13 state programs.

- Best Financial Management Practice Reviews for Florida School Districts. OPPAGA and the Auditor General jointly conduct reviews to determine if a school district is using best financial management practices to help school districts meet the challenge of educating their students in a cost-efficient manner.

OPPAGA provides objective, independent, professional analyses of state policies and services to assist the Florida Legislature in decision-making, to ensure government accountability, and to recommend the best use of public resources. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021 or 800/531-2477), by FAX (850/487-3804), in person (Claude Pepper Building, Room 312, 111 W. Madison St.), or by mail (OPPAGA Report Production, P.O. Box 1735, Tallahassee, FL 32302).

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